

**TCG**

EX PARTE OR LATE FILED

April 9, 1998

**VIA HAND DELIVERY**

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
Room 222  
1919 M Street, NW  
Washington, D.C. 20554

Paul Kouroupas  
Vice President, Regulatory Affairs  
Regulatory & External Affairs

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**RECEIVED**

APR - 9 1998

Re: Written Ex Parte Presentation  
CC Docket No. 97-121

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Ms. Salas:

Teleport Communications Group Inc. ("TCG") hereby submits notice of a written ex parte presentation to be included in the record of the above-referenced proceeding.

Two copies of TCG's written presentation are submitted with this letter pursuant to Section 1.1206(b)(1) of the Commission's Rules, 47 C.F.R. § 1.1206(b)(1).

Sincerely,



Paul Kouroupas

Enclosures

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Trunk Blocking Parity Measurements

Dear Ms. Salas:

Teleport Communications Group Inc. ("TCG") hereby submits additional information regarding the requirements regional Bell operating companies ("RBOCs") must meet to satisfy Section 271 of the Communications Act. TCG has provided the Commission and staff with specific information supporting its proposals regarding a number of competitive checklist items. By this letter, TCG provides additional information regarding requirements associated with Section 271(c)(2)(B)(i) — interconnection in accordance with the requirements of Sections 251(c)(2) and 252(d)(1). The information demonstrates that the RBOCs can easily compare the end-to-end call blocking rates for their customers with that for CLEC customers.

As TCG previously presented in meetings regarding Section 271 compliance, as well as in related proceedings, interconnection must be provided for CLECs at least equal in quality to that provided to the RBOC itself. Unless this performance parity is available to CLECs, an RBOC cannot demonstrate that it has satisfied the very first item on the competitive checklist. In order to ensure compliance, the RBOC must demonstrate that the failure rate of an RBOC customer calling a CLEC customer is no greater than the rate for an RBOC customer calling another RBOC customer. This assessment can only be made by comparing blocking rates for RBOC and for CLEC customers.

The measurements required to demonstrate whether performance parity on this level is being provided must be based on call completion percentage rather

Ms. Magalie Roman Salas  
April 9, 1998  
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than on a trunk group basis. Measurements according to trunk group are too easily manipulated to be useful. TCG also believes that a call completion measurement would not be onerous; in fact, BellSouth in Florida already is required to generate such records. Florida Public Service regulations require BellSouth to maintain a 95 percent completion rate for all calls.<sup>1</sup> Compliance with this standard could only be assured through the regular measurement of the call completion rate.

Based on this additional information, TCG reiterates its call for CLEC interconnection that is in parity with that which the RBOC provides for itself. The only meaningful way to enforce the standard set forth in Section 251(c) and to assess compliance with the first item of the competitive checklist under Section 271 is to require RBOC reporting of call completion rates. Specifically, the Commission should require RBOC measurement of call completion percentage for RBOC customer calls to other RBOC customers and for RBOC customer calls to CLEC customers.

If there are any questions regarding this issue or further elaboration would be useful, please contact me at (202) 739-0030.

Sincerely,



Paul Kouroupas

Enclosures

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<sup>1</sup> See Section 25-4.071(2) (FPSC Service Rules) (attached); see also Excerpt from BellSouth Rebuttal Testimony of William N. Stacy (Florida Public Service Commission, Docket 960786-TL) (attached).

Florida

reports such that the percentage of repeat troubles will not exceed 20 percent of the total initial customer reports in each exchange when measured on a monthly basis. A repeat trouble report is another report involving the same item of plant within 30 days of the initial report.

(6) The service objectives of this rule shall not apply to subsequent customer reports, (not to be confused with repeat trouble reports), emergency situations, such as unavoidable casualties where at least 10 percent of an exchange is out of service.

(7) Reporting Criteria: Each company shall periodically report data as specified in Rule 25-4.0185, Periodic Reports.

*Specific Authority 350.127(2) FS. Law Implemented 364.03, 364.17, 364.18 FS. History—Revised 12-1-68, Amended 3-31-76, Formerly 25-4.70, Amended 6-24-90, 3-10-96.*

#### ANNOTATIONS

##### Compliance

Defendant telephone company was found to be in compliance with Rule 25-4.070, F. A. C., where testimony asserted all rules regarding service had been followed and no contrary evidence was adduced. In re: Primary Jurisdiction Referral From the Circuit Court For the Sixth Judicial Circuit, Pinellas County, Florida, In Circuit Civil No. 87-14199-7, 89 FPSC 5:394 (1989).

##### Telecommunications service priority service

Even though certain services (e.g., state agencies that do not provide emergency services) may be denied TSP designation upon the conversion of Southern Bell's RP service to TSP, Rule 25-4.070(4), F.A.C., alleviates that concern, as it provides for priority treatment for those services the interruption of which would affect public health and safety. In re: Tariff proposal of Southern Bell Telephone and Telegraph Company, 91 FPSC 4:451 (1991). See also: In re: Tariff proposal of GTE Florida, Inc., 91 FPSC 4:573 (1991).

#### 25-4.071 Adequacy of Service.

(1) Each telecommunications company shall provide switching equipment, trunking, and associated facilities within its operating territory for the handling of local and toll traffic, designed and engineered on the basis of realistic forecasts of growth so that during the average busy season busy hour at least 97 percent of all calls offered to any trunk group (toll connecting, inter-office, extended area service) shall not encounter an all-trunk busy condition.

(2) Telephone calls to valid numbers should encounter a ring-back tone, line busy signal, or non-working number intercept facility (operator or recording) after completion of dialing. The call completion standards established for such calls by category of call is as follows:

- (a) Intra-office Calls — 95 percent,
- (b) Inter-office Calls — 95 percent,
- (c) Extended Area Calls — 95 percent, and
- (d) Intra-LATA DDD Calls — 95 percent.

(3) All telephone calls to invalid telephone numbers shall encounter an operator or suitable recorded intercept facility, preferably a recording other than the non-working number recording used for valid number calls.

(4) Intercept service shall be as outlined in Rule 25-4.074.

(5) A line busy signal (60 impulse per minute tone) shall not be used for any signaling purpose except to denote that a subscriber's line, other valid terminal, centrex or PBX trunks, or equipment where the quantity is controlled by the customer is in use.

*Specific Authority 350.127(2) FS. Law Implemented 364.03, 364.17, 364.18 FS. History—Revised 12-1-68, Amended 3-31-76, Formerly 25-4.71, Amended 6-24-90, 3-10-96.*

#### ANNOTATIONS

##### Usage studies

Where all necessary busy-season, busy-hour studies were done, reasonable forecast for growth was made, monthly traffic network analyses were made, and nature of plaintiff's incoming traffic did not comport with engineering assumptions made as part of Southern Bell's Switched Access Tariff, defendant telephone company was found to have complied with Rule 25-4.071, F. A. C. In re: Primary Jurisdiction Referral From the Circuit Court For the Sixth Judicial Circuit, Pinellas County, Florida, In Circuit Civil No. 87-14199-7, 89 FPSC 5:394 (1989).

#### 25-4.072 Transmission Requirements.

(1) Telecommunications companies shall furnish and maintain the necessary plant, equipment, and facilities to provide modern, adequate, sufficient, and efficient transmission of communications between customers in their service areas. Transmission shall be at adequate volume levels and free of excessive distortion. Levels of noise and crosstalk shall be such as not to impair communications. The maximum loss objective of inter-toll trunks shall be consistent with the requirements of the nationwide switching plan and overall transmission losses within each trunk group will not vary more than plus or minus two db.

(2) Accurate dependable milliwatt supplies shall be made a part of each central office. Additionally, for those central offices having an installed line capacity of 1,000 lines or more, the buffered access on a minimum three line rotary group basis shall be a part of the milliwatt supply.

(3) Each central office shall be equipped with a minimum of one termination which shall trip ringing and terminate the line on a balanced basis so that end to end noise measurements may be made.

*Specific Authority 350.127(2) FS. Law Implemented 364.03 FS. History—New 12-1-68, Amended 3-31-76, Formerly 25-4.72, Amended 3-10-96.*

#### ANNOTATIONS

##### Compliance

Failure of plaintiff to controvert testimony of defendant telephone company resulted in acceptance of defendant's assertion that all transmission requirements had been met. In re: Primary Jurisdiction Referral From the Circuit Court For the Sixth Judicial Circuit, Pinellas County, Florida, In Circuit Civil No. 87-14199-7, 89 FPSC 5:394 (1989).

#### 25-4.073 Answering Time.

(1) Each telephone utility shall provide equipment designed and engineered on the basis of

1                                    **BELLSOUTH TELECOMMUNICATIONS, INC**  
2                                    **REBUTTAL TESTIMONY OF WILLIAM N. STACY**  
3                                    **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**  
4                                    **DOCKET 960786-TL**  
5                                    **JULY 31, 1997**

6  
7  
8    **Q.    PLEASE STATE YOUR NAME, ADDRESS AND POSITION WITH**  
9                                    **BELLSOUTH TELECOMMUNICATIONS, INC. (BELLSOUTH).**

10  
11   **A.    My name is William N. Stacy. My business address is 675 West Peachtree**  
12                                    **Street, Room 4410, Atlanta, GA 30375. I am the Assistant Vice President -**  
13                                    **Services for the Interconnection Operations Department of BellSouth**  
14                                    **Telecommunications Inc. ("BellSouth"). In this position I am responsible for**  
15                                    **development of the procedures used by BellSouth personnel to process**  
16                                    **Alternative Local Exchange Company (ALEC) service requests, and for**  
17                                    **assisting the service centers in Interconnection Operations in implementing**  
18                                    **ALEC contracts in a manner consistent with State Commission and Federal**  
19                                    **Communication Commission (FCC) rules and regulations governing local**  
20                                    **exchange competition.**

21  
22   **Q.    PLEASE SUMMARIZE YOUR BACKGROUND AND EXPERIENCE.**

23  
24   **A.    I received a Bachelor of Science degree in electrical engineering in 1970**  
25                                    **from the University of Kentucky, in Lexington, KY. I have 27 years of**

1 described by Mr. McCausland already exists. In BellSouth's proposal it is  
2 the average duration measurement in the repair category. He apparently  
3 misread this part of BellSouth's proposal.

4  
5 Third, Mr. McCausland states that BellSouth must measure cycle time for  
6 ALECs and itself. The cycle time measurement comparison described by  
7 Mr. McCausland is captured by the Percent Due Date met measurement in  
8 combination with the ALEC's access to BellSouth's due date processor as I  
9 described in my rebuttal to Mr. Pfau's testimony above.

10  
11 Finally, as I also described earlier, BellSouth is preparing an availability  
12 measure for the ALEC interface systems, similar to that described by Mr.  
13 McCausland.

14

15 **Rebuttal of Mr. Hoffman's Statement**

16

17 Q. DO YOU AGREE WITH MR. HOFFMAN'S STATEMENT THAT THE  
18 PERFORMANCE REPORTS PROVIDED BY BELL SOUTH FAIL TO  
19 PROVIDE SUFFICIENT INFORMATION FOR THIS COMMISSION TO  
20 DETERMINE WHETHER SERVICE PARITY IS BEING PROVIDED?

21

22 A. Absolutely not. As I have established in both my direct testimony and in my  
23 responses herein to other testimony in this docket, the performance  
24 measures embodied in the agreement between BellSouth and AT&T as well

25

1 as other performance results regularly submitted to the FPSC and the FCC  
2 are more than adequate to monitor service parity concerns.

3  
4 Q. ON PAGE 4 OF HIS ANSWER TO THE PETITION OF BELL SOUTH, MR.  
5 HOFFMAN ALLEGES THAT BELL SOUTH IS NOT PROPERLY SIZING  
6 TRUNK GROUPS RESULTING IN BLOCKAGE OF TCG TRAFFIC. WHAT  
7 IS YOUR RESPONSE?

8  
9 A. I am startled that Mr. Hoffman would make such a statement. First, the  
10 number of one-way trunk groups which deliver traffic to TCG's switch is  
11 determined solely by TCG. BellSouth will install as many as TCG wishes to  
12 order. Second, with regard to the trunks between BellSouth's switch and the  
13 tandem, these trunks carry not only TCG's traffic, but all other traffic  
14 including BellSouth's. The FPSC Service Rules in Section 25-4.071  
15 Adequacy of Service under paragraph (1) state that the call completion  
16 standard for trunked calls is 97%. BellSouth routinely completes 99% or  
17 better. The most recent Service Evaluations performed by the FPSC Staff  
18 show that BellSouth's completion rate for inter-office call completions was  
19 100%. This measurement included tests between BellSouth offices and  
20 ALEC offices. Further, in its most recent ARMIS report filed with the FCC,  
21 99.7% of BellSouth's offices exceeded the FCC reporting standard of a 98%  
22 completion rate on trunked calls. These reports clearly establish that  
23 BellSouth inter-office and tandem facilities are properly sized to meet and  
24 exceed regulatory and company standards.

25